

United States Bankruptcy Court

For the NORTHERN District of IOWA

Chapter 7

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

MAR 05 1991

BARBARA A. EVERLY, CLERK

IN RE:

BARBARA S. BURKE,
Debtor.

Case No. X90-01925S

Contested No. 2192

JUDGMENT

- ☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

- ☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

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IT IS ORDERED AND ADJUDGED:

that debtor's Motion to Avoid Lien Impairing Debtors' Exemptions is hereby granted pursuant to § 522(f)(1) of the Bankruptcy Code and the following liens are hereby avoided as judicial liens which impair an exemption to which the debtor would have been entitled under § 561.16, Code of Iowa, namely debtor's homestead exemption on the following described real estate:

Diocesan Hills except West 51 feet - Lot 7 and the West 41 feet of Lot 8, Sioux City, Woodbury County, Iowa commonly known as 1807 West 25th Street.

The Morningside State Bank lien entered in the Iowa District Court for Woodbury County on September 5, 1978 in the matter of Morningside State Bank, plaintiff, vs. John M. Burke and Barbara S. Burke, defendants, Law No. 85450.



The Marian Health Center lien entered in the Iowa District Court for Woodbury County - Small Claims Division on August 29, 1989, in the matter of Marian Health Center, plaintiff, vs. Barbara S. Burke, defendant, Small Claim No. 38276.

copies mailed with order
on 3/5/91, *sm*

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 3-5-91

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: *Lani McElhany*
Deputy Clerk

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

MAR 05 1991

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

* * * * *
IN RE: * CHAPTER 7
BARBARA S. BURKE, * BK. NO. X-90-01925-S
* CONTESTED NO. 2192

Debtor. * ORDER AVOIDING LIEN
* * * * *
The matter of Debtor's Motion to Avoid Lien Impairing Debtors Exemption filed herein on December 14, 1990, comes on before the Court, and the Court having reviewed the file finds that Notice of such Motion was given to Morningside State Bank, n/k/a Morningside Bank and Trust; Marian Health Center, c/o Frank Cosgrove; Donald H. Molstad, Interim Trustee; and Wesley B. Huisinga, U.S. Trustee; on or about December 14, 1990, and no objections to said Motion have been filed herein.

It is hereby ordered that Debtor's Motion to Avoid Lien Impairing Debtors Exemptions is hereby granted pursuant to §522(f)(1) of the Bankruptcy Code and the following liens are hereby avoided as Judicial Liens which impair an exemption to which the Debtor would have been entitled to under §561.16, Code of Iowa, namely Debtor's Homestead Exemption on the following described real estate:

Diocesan Hills except West 51 Foot - Lot 7 and the
West 41 Foot of Lot 8, Sioux City, Woodbury County
Iowa
commonly known as 1807 West 25th Street

The Morningside State Bank lien entered in the Iowa District

Court for Woodbury County on September 5, 1978, in the matter of Morningside State Bank, Plaintiff, v. John M. Burke and Barbara S. Burke, Defendants, Law No. 85450.

The Marian Health Center lien entered in the Iowa District Court for Woodbury County - Small Claims Division on August 29, 1989, in the matter of Marian Health Center, Plaintiff v. Barbara S. Burke, Defendant, Small Claim No. 38276.

DATED this 5th day of March, 1991.



WILLIAM L. EDMONDS
UNITED STATES BANKRUPTCY JUDGE

Prepared by: Duane E. Hoffmeyer, Attorney for Debtor

cc: Morningside State Bank, n/k/a Morningside Bank and Trust
Marian Health Center
Donald H. Molstad, Interim Trustee
Wesley B. Huisinga, U. S. Trustee

3-5-91, *ym*